



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/759,957

01/16/2004

Philip S. Langridge

03-6184

8173

63710

7590

02/02/2009

DEAN P. ALDERUCCI

CANTOR FITZGERALD, L.P.

110 EAST 59TH STREET (6TH FLOOR)

NEW YORK, NY 10022

EXAMINER

ZECHER, MICHAEL R

ART UNIT

PAPER NUMBER

3691

MAIL DATE

DELIVERY MODE

02/02/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/759,957	Applicant(s) LANGRIDGE, PHILIP S.	
	Examiner MICHAEL R. ZECHER	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/2/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a first, non-final Office Action on the merits following a Request of Continued Examination entered January 2, 2009. **Claims 13, 17, 23, 24, 26-29, 31, & 33-36** have been amended. **Claims 13-37** are pending.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claims because the examined application claim is either anticipated by, or would have been obvious over, the reference claims. See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

Art Unit: 3691

be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. **Claims 13-37** are provisionally rejected on the ground of nonstatutory double patenting over claims 26, 28-30, 33-37, 39, & 41-50, and the corresponding specification of copending Application No. 10/715081 (hereinafter "081"). This is a provisional double patenting rejection since the conflicting claims have not yet been patented.

The subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter, as follows:

As per claim 13, 081 teaches a method comprising:

receiving by a computing device a selection of a quadrant from a plurality of quadrants, in which each quadrant comprises a portion of a customizable display and each quadrant comprises a benchmark instrument, the selected quadrant comprising a first benchmark instrument;

retrieving by a computing device a plurality of non-benchmark instruments from a server coupled to the computing device over a network, in which each non-benchmark instrument shares at least one variable in common with the first benchmark instrument,

Art Unit: 3691

and in which the first benchmark instrument comprises a first type of instrument, and in which the one of the plurality of non-benchmark instruments comprises a second type of instrument;

retrieving from a server market data for the first benchmark instrument and the plurality of non-benchmark instruments; and

generating and outputting the customizable display in accordance to a layout, in which the customizable display comprises the selected quadrant and a plurality of other quadrants, and in which the selected quadrant comprises the retrieved market data for the first benchmark instrument and the plurality of non-benchmark instruments (See claim 26).

As per claim 14, 081 teaches that the layout is selected from a plurality of layouts (See claim 30).

As per claim 15, 081 teaches that the layout comprises at least one of: 1x6; 2x3; 3x2; and 6x1 (See figures 2b & 2c, and pages 17-19 of the specification).

As per claim 16, 081 teaches receiving a request to replace the layout of the customizable display with a second layout (See claim 30).

As per claim 17, 081 teaches:

receiving a request to replace the first benchmark instrument with a second benchmark instrument, in which the first benchmark instrument is associated with the selected quadrant;

selecting a second quadrant, in which the second quadrant comprises the second benchmark instrument;

Art Unit: 3691

removing the selected quadrant from a position in the layout; and
updating the customizable display to include the second quadrant, in which the second quadrant is located in the position that was formerly occupied by the selected quadrant (See claim 33).

As per claim 18, 081 teaches receiving a request to exchange a position of a first quadrant in the layout with the position of a second quadrant in the layout (See claim 30).

As per claim 19, 081 teaches:

determining that the request to exchange is a permissible option; and
updating the customizable display, in which the layout of the updated customizable display comprises the first quadrant being located in the position that was formerly occupied by the second quadrant and the second quadrant being located in the position of that was formerly occupied by the first quadrant (See pages 17-19 of the specification, and claim 30).

As per claim 20, 081 teaches:

receiving a request to add a third benchmark instrument to the customizable display;

selecting a third quadrant, in which the third quadrant comprises the third benchmark instrument;

replacing the layout that was previously used by the customizable display with a second layout, in which the second layout decreases a size of each quadrant from the previous layout in order to accommodate the size of the third quadrant; and

generating the customizable display in accordance to the second layout, in which the customizable display comprises the third quadrant (See claim 34).

As per claim 21, 081 teaches that the size of each quadrant comprises a minimum requirement (See page 19 of the specification, and claim 30).

As per claim 22, 081 teaches that the customizable display comprises a maximum quantity of quadrants (See page 19 of the specification, and claim 30).

As per claim 23, 081 teaches at least one of the first type of instrument and the second type of instrument comprises at least one of: a bond, a futures contract, a stock, a debt instrument, an equity, and another type of instrument (See claim 29).

Claim 24 recites equivalent limitation to claim 13 and therefore is rejected using the same art and rationale set forth above.

Claims 25 & 26 recite equivalent limitation to claims 15 & 16, respectively, and therefore are rejected using the same art and rationale set forth above.

Claims 27-29 recite equivalent limitation to claims 18-20, respectively, and therefore are rejected using the same art and rationale set forth above.

Claim 30 recites equivalent limitation to claim 23 and therefore is rejected using the same art and rationale set forth above.

Claim 31 recites equivalent limitation to claim 13 and therefore is rejected using the same art and rationale set forth above.

Claims 32 & 33 recite equivalent limitation to claims 15 & 16, respectively, and therefore are rejected using the same art and rationale set forth above.

Claims 34-36 recite equivalent limitation to claims 18-20, respectively, and therefore are rejected using the same art and rationale set forth above.

Claim 37 recites equivalent limitation to claim 23 and therefore is rejected using the same art and rationale set forth above.

Furthermore, there is no apparent reason why applicant would be prevented from presenting claims corresponding to those of the instant application in the other copending application. See *In re Schneller*, 397 F.2d 350, 158 USPQ 210 (CCPA 1968). See also MPEP § 804.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 13, 14, 16-20, 23, 24, 31, & 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Martyn et al. (U.S. 6,195,647), and further in view of McCarthy et al. (U.S. 2002/0161690).

As per claim 13, Martyn et al. teaches a method comprising:

receiving by a computer device a selection of a quadrant from a plurality of quadrants (See figure 1, and column 11, lines 43-44, which illustrates and discusses a hardware system capable of displaying a selected portion of securities), in which each quadrant comprises a portion of a customizable display (See column 1, lines 53-58, which discusses customizing a trading display) and each quadrant comprises a

Art Unit: 3691

benchmark instrument, the selected quadrant comprising a first benchmark instrument (See figure 4, #4024, which illustrates a point of reference or the inside quote for a specific security);

retrieving from a server market data for the first benchmark instrument and the plurality of non-benchmark instruments (See figure 1 and column 5, lines 51-56, which illustrates and discusses a hardware system capable of receiving market data in real time); and

generating and outputting the customizable display in accordance to a layout (See column 1, lines 53-58, which discusses customizing a trading display).

However, Martyn et al. does not disclose retrieving by a computing device a plurality of non-benchmark instruments from a server coupled to the computing device over a network, in which each non-benchmark instrument shares at least one variable in common with the first benchmark instrument, and in which the first benchmark instrument comprises a first type of instrument, and in which the one of the plurality of non-benchmark instruments comprises a second type of instrument; and

in which the customizable display comprises the selected quadrant and a plurality of other quadrants, and the selected quadrant comprises the retrieved market data for the benchmark instrument and the plurality of non-benchmark.

McCarthy et al. discloses a system, method, and medium for performing electronic trading (See abstract).

Both Martyn et al. and McCarthy et al. disclose customized trading displays for financial instruments. McCarthy et al. discloses a computer (See figure 23, which

Art Unit: 3691

illustrates a central processing unit); portfolio lines that range from individual securities to categories or types of securities, selected benchmarks (See paragraphs 50 & 78, which discusses particular securities or categories of securities that match specific trading criteria; and, furthermore, selected benchmarks and adding additional securities); and a compilation of grids (See figures 10-11 & 14-15, which illustrates numerous grids that display relevant market data). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martyn et al. to include a computer capable of retrieving non-benchmark securities related to specific trading criteria (i.e. benchmark security), whereby the benchmark security and non-benchmark security are different financial instruments, and displaying the market data in grids as taught by McCarthy et al. in order to allow a trader to use various trading interfaces to create orders, manipulate orders, cancel orders, cycle through multiple issues, obtain trading information more relevant than limit price stacks, or efficiently buy or sell items inside or within a spread market.

As per claim 14, Martyn et al. teaches the layout is selected from a plurality of layouts (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

As per claim 16, Martyn et al. teaches receiving a request to replace the layout of the customizable display with a second layout (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

Art Unit: 3691

As per claim 17, Martyn et al. teaches:

receiving a request to replace the first benchmark instrument with a second benchmark instrument, in which the first benchmark instrument is associated with the selected quadrant (See column 5, lines 62-67, which discusses how a user types the name of a security in a text box in order to create a new window);

selecting a second quadrant, in which the second quadrant comprises the second benchmark instrument (See figure 4, and column 5, line 57, through column 6, line 22, which illustrates and discusses how the NASDAQ workstation software fills in various information to create a new display);

removing the selected quadrant from a position in the layout (See column 4, lines 52-67, and column 7, lines 24-34, which discusses how a user selects the Dynamic Quote Setup window by using a Window list box); and

updating the customizable display to include the second quadrant, in which the second quadrant is located in the position that was formerly occupied by the selected quadrant (See column 1, lines 53-58, column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

As per claim 18, Martyn et al. teaches receiving a request to exchange a position of a first quadrant in the layout with the position of a second quadrant in the layout (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

Art Unit: 3691

As per claim 19, Martyn et al. teaches:

determining that the request to exchange is a permissible option (See column 10, lines 55, through column 11, lines 35, which discusses how a user can open windows for individual securities immediately); and

updating the customizable display, in which the layout of the updated customizable display comprises the first quadrant being located in the position that was formerly occupied by the second quadrant and the second quadrant being located in the position that was formerly occupied by the first quadrant (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

As per claim 20, Martyn et al. teaches:

receiving a request to add a third benchmark instrument to the customizable display (See column 5, lines 62-67, which discusses how a user types the name of a security in a text box in order to create a new window);

selecting a third quadrant, in which the third quadrant comprises the third benchmark instrument (See figure 4, and column 5, line 57, through column 6, line 22, which illustrates and discusses how the NASDAQ workstation software fills in various information to create a new display);

replacing the layout that was previously used by the customizable display with a second layout, in which the second layout decreases a size of each quadrant from the previous layout in order to accommodate the size of the third quadrant (See column 4,

Art Unit: 3691

lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows); and

generating the customizable display in accordance to the second layout, in which the customizable display comprises a third quadrant (See column 1, lines 53-58, column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

As per claim 23, Martyn et al. teaches at least one of the first type of instrument and the second type of instrument comprises at least one of: a bond, a futures contract, a stock, a debt instrument, an equity, and another type of instrument (See column 3, lines 36-43, which discusses securities).

Claim 24 recites equivalent limitation to claim 13 and therefore is rejected using the same art and rationale set forth above.

Claim 26 recites equivalent limitation to claim 16 and therefore is rejected using the same art and rationale set forth above.

Claims 27-29 recite equivalent limitation to claims 18-20, respectively, and therefore are rejected using the same art and rationale set forth above.

Claim 30 recites equivalent limitation to claim 23 and therefore is rejected using the same art and rationale set forth above.

Claim 31 recites equivalent limitation to claim 13 and therefore is rejected using the same art and rationale set forth above.

Claim 33 recites equivalent limitation to claim 16 and therefore is rejected using the same art and rationale set forth above.

Art Unit: 3691

Claims 34-36 recite equivalent limitation to claims 18-20, respectively, and therefore are rejected using the same art and rationale set forth above.

Claim 37 recites equivalent limitation to claim 23 and therefore is rejected using the same art and rationale set forth above.

6. **Claims 15, 21, 22, 25, & 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Martyn et al. (U.S. 6,195,647), in view of McCarthy et al. (U.S. 2002/0161690), and further in view of Ram et al. (U.S. 2006/0069635).

As per claim 15, the Martyn et al. and McCarthy et al. combination does not disclose that the layout comprises at least one of:

1x6;

2x3;

3x2; and

6x1.

Ram et al. discloses a method, software, and system for buying and selling financial securities, durable goods, and other items using an interface configured according to a user's preference (See abstract).

Both the Martyn et al. and McCarthy et al. combination and Ram et al. discloses methods, systems, and respective software for buying and selling securities. Ram et al. discloses selectable layouts with the following dimensions: 1 x 6 (See figure 76 and paragraph 508, which illustrates and discusses displaying security data in a 1 x 4 layout; and, furthermore, how settings and criteria may be pre-defined. A user could provide settings and criteria for a 1 x 6 configuration), 2 x 3 (See figure 68, which illustrates

Art Unit: 3691

displaying security data in a 2 x 3 layout), 3 x 2 (See paragraph 508, which discusses how settings and criteria may be pre-defined. A user could provide settings and criteria for a 3 x 2 layout), and 6 x 1 (See figure 76 and paragraph 510, which illustrates and discusses displaying security data in a 1 x 4 layout; and, furthermore, how settings and criteria may be pre-defined. A user could provide settings and criteria for a 6 x 1 configuration). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include dimensional layouts consisting of 1 x 6, 2 x 3, 3 x 2, and 6 x 1 as taught by Ram et al. in order to combine the known features of a customized trading display with various pre-defined layouts to achieve the predictable result of allowing a user to select a preference.

Claims 25 & 32 recite equivalent limitations to claim 15 and therefore are rejected using the same art and rationale set forth above.

As per claim 21, the Martyn et al. and McCarthy et al. combination does not disclose that the size of each quadrant comprises a minimum requirement.

Ram et al. discloses restricting the configuration of tables (See paragraph 546, which discusses how all tables may be purposely restricted according to pre-defined configurations); restricting or limiting the table output (See paragraphs 363 & 694, which discuss resizing behavior in a Microsoft windows application and restricting the size of a table according to a limited number of securities or security categories), controlling the height of each table (See paragraph 802, which discusses the configuration or settings of a graphical table interface including size and formatting of the table); and a display

Art Unit: 3691

setting tab to restrict layouts (See paragraph 304, which discusses a Display Setting tab page that allows a user to restrict size of particular layouts). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include resizing of trading displays, including minimum heights for each quadrant, as taught by Ram et al. in order to combine the known techniques of pre-defined movement, size, and display within the context of a computer to achieve the predictable result of providing customized user preferences.

As per claim 22, the Martyn et al. and McCarthy et al. combination does not disclose that the customizable display comprises a maximum quantity of quadrants.

Ram et al. discloses restricting the configuration of tables (See paragraph 546, which discusses how all tables may be purposely restricted according to pre-defined configurations); restricting or limiting the table output (See paragraphs 363 & 694, which discuss resizing behavior in a Microsoft windows application and restricting the size of a table according to a limited number of securities or security categories), controlling the height of each table (See paragraph 802, which discusses the configuration or settings of a graphical table interface including size and formatting of the table); and a display setting tab to restrict layouts (See paragraph 304, which discusses a Display Setting tab page that allows a user to restrict size of particular layouts). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include resizing of trading displays and restricting at least one of the selectable layouts as taught by Ram et al. in

Art Unit: 3691

order to combine the known techniques of pre-defined movement, size, and display within the context of a computer to achieve the predictable result of providing customized user preferences.

Response to Arguments

7. Applicant's arguments filed January 2, 2009, have been fully considered but they are not persuasive.

In the Remarks, Applicant argues in substance that:

(a) Martyn et al. does not disclose, teach, nor suggest "receiving by a computing device a selection of a quadrant from a plurality of quadrants, in which each quadrant comprises a portion of a customizable display and each quadrant comprises a benchmark instrument."

(b) There is no substantial evidence or motivation to modify Martyn et al. with McCarthy et al.

(c) There is not rational and articulate reason to combine Martyn et al. with McCarthy et al.

In response to (a):

The Examiner respectfully disagrees with Applicant's assertion. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references. Applicant has simply provided a blanket statement that col. 11, lines 43-44, of Martyn et al. does not disclose, teach, or suggest the exact recitation quoted above. Applicant

Art Unit: 3691

has failed to address the other citations provided, specifically figures 1 & 4, and column 1, lines 53-58; and, furthermore has failed to specifically point out how the claim language of the present applicant differs for the disclosures, teachings, and suggestions provided in Martyn et al. and McCarthy et al. The Examiner cannot address mere allegations of differentiation without further detailed arguments from Applicant. Based on a broad and reasonable claim construction, the Examiner maintains that Martyn et al., in conjunction with McCarthy et al., discloses, teaches, and suggests to one of ordinary skill in the art a customized trading display with various quadrants comprising points of reference (i.e. benchmark instruments).

In response to (b) & (c):

The Examiner respectfully disagrees with Applicant's argument. The Examiner would like to note that KSR v. Teleflex forecloses the argument that a specific teaching, suggestion, or motivation is required to support a finding of obviousness. See the Board decision Ex parte Smith, --USPQ2d--, slip op. at 20, (Bd. Pat. App. & Interf. June 25, 2007)(citing KSR, 82 USPQ2d at 1396)(available at <http://www.uspto.gov/web/offices/dcom/bpai/prec/fd071925.pdf>). Furthermore, KSR states that preventative rules that deny recourse to common sense are neither necessary, nor consistent with, the Supreme Court's case law. See KSR V. Teleflex, 550 U.S. ____ (2007). Applying KSR, both Martyn et al. and McCarthy et al. disclose, teach, and suggest customized trading displays. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow traders to customize their computerized trading displays to create orders, manipulate orders, cancel orders,

Art Unit: 3691

cycle through multiple issues, obtain trading information more relevant than limit price stacks, or efficiently buy or sell items inside or within a spread market.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Brumfield et al. (U.S. 2006/0271475) discloses a system and method for group positioning of market information in a graphical user interface.

Brumfield et al. (U.S. 2006/0265304) discloses a system and method for group positioning of market information in a graphical user interface.

Ram et al. (U.S. 2003/0009411) discloses interactive grid-based graphical trading system for real time security trading.

Lutnick et al. (U.S. 2004/0158519) discloses electronic systems and method for providing a trading interface with advanced features.

Schluetter et al. (U.S. 2006/0265305) discloses a system and method for automatic repositioning of market information in a graphical user interface.

Waelbroeck et al. (U.S. 2004/0034591) discloses a method and system for managing distributed trading data.

Burns et al. (U.S. 7,243,083) discloses an electronic spread trading tool.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. ZECHER whose telephone number is (571)270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

Art Unit: 3691

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alexander Kalinowski/
Supervisory Patent Examiner, Art
Unit 3691

/Michael R. Zecher/
Examiner, Art Unit 3691